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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,811	04/14/2006	Akira Sueyoshi	10921.398USWO	5200
52835 7590 11/29/2007 HAMRE, SCHUMANN, MUELLER & LARSON, P.C. P.O. BOX 2902 MINNEAPOLIS, MN 55402-0902			EXAMINER ABRAMS, NEIL	
			ART UNIT	PAPER NUMBER
			2839	
			MAIL DATE	DELIVERY MODE
			11/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

217

# Office Action Summary

Application No.

10/575,811

Applicant(s)

SUEYOSHI, AKIRA

Examiner

Neil Abrams

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

### DETAILED ACTION

1. Claims 1, 5-6 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Japan'649 or Japan'188.
2. Japan'649, figure 1, include IC chip at 102 and a light shielding layer 11 with indicia at 108. Japan'188 includes a chip 29, a heat shield layer 37 with indicia on the layer. While the patents are seen as adequate, should issues arise recited features deemed obvious variations. For claim 5, dark colors are seen as standard for such light shields. A mark with a pen would form a second dark color indicia. The indicia also readable as code.
3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over 1 ) Muramatsu in view of Japan'649 and Japan'188 or 2 ) Japan 2002-303843 in view of Maramatsu
4. Muramatsu discloses figures 2, 6, 4 a system with IC chip 12, light shield 26, 47 but lacks indicia on the light shield.
5. The Japan patents 649 and 188 use writing or marks, readable as indicia or code on light shields. Obvious to apply same to any of Muramatsu shields since this would be a use of an available surface for a second purpose as taught by both Japan patents. For claims 2-4, Muramatsu includes an image display area 8, a base plate 1 to which the chip attached on one side, the shield on the other side, and for claim 4 a wiring connector 48 to which the shield is also attached. For claim 7, also obvious that such mark would be added prior to attachment as is the typical case with labels of all sorts. Claim 5, 6 treated as noted above

Application/Control Number:  
11/575,811  
Art Unit: 2839

Page 3

6. For Japan 843 note figs 2,6 chip 16 and layer 12, 11a with indicia 70,72 and that lies under chip 16. Layer 12, 11a is not stated in abstract to be light shielding. Note that Muramatsu fig 1, polarizing layer 6 is stated to be light shielding for chip 12. It therefor is seen that it would have been obvious to form analogous sheet 12, 11a of the Japan patent to be light shielding for chip 16. This change is so that layer 12, 11a would provide, polarizing and shielding effects discussed by Mramatsu. The indicia at 70, 72 then adequate for claim language. Claims 2-4, 6,7 features also seen to be taught by the Japan patent and do not appear at issue. Applicant asked to provide available information as to light shielding features of layer 12, 11a. If 11a,12 are light shielding Japan patent alone might be adequate

Any inquiry concerning this communication should be directed to Neil Abrams at telephone number 571-272-2089

  
NEIL ABRAMS  
PRIMARY EXAMINER